G. R. S. 59] GPB—15,000—20 12-13

GENERAL AND REVENUE SECRETARIAT.

1912

(Police.)

File No. 3 of 12

Serial Nos. 35, 36, 40 and 41

Papers Filed.

*Month*_____

SUBJECT.

Prosecution under Infant Marriage Prevention Regulation.

T. V. Ramaswamy Iyengar

PREVIOUS REFERENCES.	LATER REFERENCES.
entertained	

OFFICE OF THE DEWAN OF MYSORE,
(REVENUE AND GENERAL DEPARTMENTS)

SECTION Pol

FILE No. 30 of 03

SERIAL No.

(Full Office Note.)

Subject. Infant marriage.

Letter No. 7230/436 dated 11th/15th June 1903 from the Inspector General of Police in Mysore recommending the prosecution of the parties concerned in the case of an infant marriage that took place at Kadaukatte village, Sorab Taluk.

Note.

The age of the bridegroom as per horoscope produced by him appears to have been about 47 years at the date of marriage. According to it he was born in the year Ananda (1855). But the Police Asstt Supdt is of opinion that the horoscope is a false one, and states that a few months before the marriage, the bridegroom, Subba, gave a statement on oath, before the Sub Dy Officer of Sagar in which he stated that his age was 50 years. If this age is taken as the correct one, then he will become liable

Flag A.

* 1. Statement of case in narrative form in regular sequence of subject matter or date.
2. Opinions to be stated only as supported by precedents, or general rules which should always be quoted.
3. Serial numbers in file, &c., to be always stated.
4. Dates of important documents referred should be given.
5. Write on both sides, leaving the same side as margin.

† 1. No. and date of latest letter or paper.
2. Catch words to show nature of subject.
3. Subject to be in red and body of note in black ink.

to prosecution under the Infant marriages Prevention Regn., as the girl is below 14 years of age. There is another old horoscope + Flag B, in the records from which it will be observed that the 2nd son of Devapparya - evidently referring to Subbiah - was born in the year Rakshasa (1855-56).

If this year or the year Ananda (1854-55) is taken as the year of Subbiah's birth, he is not liable to prosecution. Insp. of Police thinks that Subbiah's statement before the Sub Dn. Officer, being made on oath should be accepted as an admission on his part. A draft sanctioning the prosecution of the parties concerned is submitted.

19/6/03

19/6/03

I am not sure if a prosecution can be sustained on a single admission. In fact, 5 offrs is stated as the age on the top of a deposition taken by

Office of the Dewan of Mysore.

File No. (if any)

Directions.

No., date and purport of receipts to be entered in red, and office note in black ink in order of dates.—To be written only on one side, and inside the line of margin.

Office Note.

3

Branch

Subject

(Paper marked A)

the Amildar in a case of change of patta-holders. The Sft has only to be presumed as made by the Party, who however may plausibly contend that he did not state his age as 50.

As the prosecution has to prove affirmatively that the accused is above ~~60~~ 50 yrs, I think the case is not likely to succeed & may be dropped.

Draft submitted accly;

24/6/13

Dewan.

25.6.13

11080
5-6-03

Done Draft as revised by Dewan
26.6.13

Dy No 1346/2
9-6-03

1902-03

Police

3 of 02

SERIAL 35

From,
C. Madiah Esq^r. Rao Bahadur,
Inspector General of Police,
in Mysore.

To,
H. V. Nanjundayya Esq^r. MA.ML,
Secretary to the Govt. of H.H.
The Maharaja of Mysore
Genl and Rev. Depts.

Dated. 11th June 1903.

No: 15 7230/436 Confdl

Sir,

I have the honor to submit a memo and other records connected with the infant marriage of Sirvenamma aged about 11 years 6 months and 9 days, daughter of Naranappa ——— at Kodanakatte Village of the Sorab Taluk — and to request sanction of Government for the prosecution of the parties concerned in the said marriage

I have the honr to be,
Sir
your most obedient Servant,

Inspector General of Police

1. Name of the bride — Tirvenamma.

2. of the bridegroom — Soobbayy

3. of the bride's father — Naranappa.

4. of the bridegroom's father — not living

5. of any other party concerned in the marriage — Ganapathi Bhatta, the Purohit.

6 Age of the bride on the day of marriage — 11 years 6 months + 9 da.

7. Age of the bridegroom on the day of marriage — Above 50 year

8. Date of marriage. — 27th February 1902.

9. Names of the village & Taluk where the marriage took Place — Kodankatte Village. Sorab Taluk.

10. Records Connected with the Case. — The entire records connected with the case and the men of the Police and Superintendent

11. Persons recommended for prosecution — i Nisrani Subbaya — Bridegroo
ii Kadankatte Namappa — Bride's f
iii Ganapathi Bhatta — Purohit

12. Name of the officer recommending the prosecution under Sections 4 & 5 of the Infant marriage prevention Regulation — Assistant Superintendent of Pol Shimoga, Vide his docket N 716 dated 6.5.03.

13. Recommendation made by the Inspector General of Police — Sanction may be accorded prosecute the above parties und Sections 4 & 5 of the Infant marriage Prevention Regulation

14. Any other remarks. — The delay in the submission o the records has not been explained by the Police Superintendent. Explanation has been called for.

4.3

Read :—

Letter No 7 280/436
dated 11/15th June 1903
from the Inspector General of Police in Negapatam, recommending the prosecution of the parties concerned in an infant marriage that took place at Kadaukattai village Lorab Zalick, on the 27th February 1902.

SECTION Pol
FILE NO. 3 of 02
SERIAL NO. 36

Po 11 Encl 16 of record § 2/7/03
9.7.3903

Order thereon :—

Govt consider that a prosecution cannot be sustained on a single admission of his age by the bridegroom Fifty years is stated as the age of the bride-groom on the top of a deposition taken by the Amildar

The evidence for the prosecution is neither adequate nor conclusive and are not prepared to sanction the prosecution

26.VI.03

02609

in a case of change of Patta-holders. The statement can only be presumed to have been made by the party, who however may plausibly contend that he did not state his age as 50.

As the prosecution has to prove affirmatively that the accused is above 50 years, the case is not likely to succeed and the prosecution may therefore be dropped

Draft for Legislature

K.S. 6/1/43

Secretary

To the Inspector General of Police returning records

Jud
G 7 03

5 1903 — 5 J.32
7.03

MYSORE GOVERNMENT SECRETARIAT
7- JUL. 1903

From

The Inspector General of Police
in Mysore

To,

The Secretary to the
Government of His Highness the
Maharajah of Mysore
General and Revenue Departments.

SECTION Pol
FILE No. 3 a 7 02
SER No. 40

Dated 4 July 1903.
Despatched 6 July 1903.
General No. 135
14

Enclosures No:

Requesting that the Memo
of the Superintendent of
Shimoga District regarding
the civil fault-marriage
trial Cook Nacca alias Kadama
Kalle, Sonab Nenka &
submitted with this office
No 7230/436 of 11 June 1903,
may be duly returned

1

No. 135-14

Office of the
Inspector General of Police in
Dated Bangalore 4th July 1903.

From

C. Madiah Esquire Rao Bahadur
Inspector General of Police in Mysore.

To

H.V. Nanjundayya Esqre M.A. M.L.
Secretary to the Government of
His Highness the Maharajah of Mysore
General and Revenue Departments

Sir,

Adverting to Government Proceedings No: 11 J.F.3.1903 dated 2nd July 1903, I have the honor to request that the memo of the Superintendent of Police, Shimoga District in re the infant marriage that took place at Kadanakatte, submitted with this office letter No. 7230/436 dated 11th June 1903 may be kindly returned as the same has not been received with the above.

I have the honor to be,
Sir,
Your most obedient servant,
Inspector General of Police in Mysore.

Copied

(6)

Office Draft. (Docket.)

7

Mysore Dewan's Office,
Branch.

SECTION— Pol

FILE Jo Jo C

SER 41

To The Inspector General of Police in Mysore

Date of passing the draft
Date of despatch 11/7/03

Regd. No. 107
File No. & date (if any) J.J. 383

No. of Encls. one

His ~~Lr~~ letter No 135 dated 4th July 1903.

Has the honour to return as requested in the above, the Memo of the Supdt of Police, Shimoga Dt, in re the infant marriage that took place at Kadur — Kattel, submitted with his office letter No 7230/136 dated 11 June 1903.

Mysore

9/7/03 for Secy